

37. It is recommended that the Government of Nova Scotia, through relevant departments dealing with youth and/or the Better Health Care Committee of Deputy Ministers, review existing policies to ensure there are no barriers to dealing with bullying and cyberbullying.

38. It is recommended that the Department of Education develop or enhance a progressive discipline policy that includes the use of restorative approaches. (Refer for guidance to Ontario Policy/Practice Memorandum No. 145 October 19, 2009.)

39. It is recommended that the Department of Education and school boards review, clarify or develop clear policies on cyberbullying and the use of the internet and cell-phone/digital devices. These policies should set out expectations and consequences for infractions, including off-site infractions, and should be signed by parents and students at the beginning of each school year. These policies should form part of the *Provincial School Code of Conduct and School Code of Conduct Guidelines*.

40. It is recommended that as part of the above review, the Department of Education and school boards ensure that a cell phone/digital device classroom ban be piloted across the province as part of the above cell phone and digital devices policy. (Emergency health situations or other relevant circumstances would be excepted.)

41. It is recommended that the Government of Nova Scotia review, clarify or develop policies and procedures to allow and encourage students and parents to report bullying incidents. Consideration should be given to safe and anonymous reporting websites such as <stopabully.ca/schools/school-status-report> and on the School Bullying Hotline model (modeled on police hotlines) used in Australia.

#### Other Law and Policy Recommendations

42. It is recommended that the Nova Scotia Department of Justice, the Nova Scotia Chiefs of Police Association and Internet service providers work together to develop a protocol to facilitate police access to information during the investigation of bullying and cyberbullying cases.

43. It is recommended that the above group recommend changes be made to regulations governing Internet service providers, and that representations be made in this regard to the federal Ministry responsible for the Canadian Radio and Television Commission.

44. It is recommended that the provincial Minister of Justice make representations to the federal Minister of Justice about evaluating the effectiveness of current *Criminal Code* provisions in responding to bullying and cyberbullying and exploring the pros and cons of a distinct crime of bullying and cyberbullying.

45. It is recommended that the Department of Justice further explore the links between bullying and marginalized groups such as those protected under the Nova Scotia *Human Rights Act*, to determine whether changes need to be made to the Nova Scotia *Education Act*, regulations or policies to better protect these groups from bullying and cyberbullying.

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## Legal and Regulatory

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## Internet Acceptable Use

### Introduction

Bell Aliant Internet Service is committed to being a responsible network citizen. To assist us in protecting the usefulness and enjoyment of the Internet for our members and for other users, we advise you read the following document outlining our policies on network abuse. The activities described below constitute violations of the Bell Aliant Service Agreements that may result in the loss of your service.

The Bell Aliant Internet Services Acceptable Use Policy prohibits activities that include, but are not limited to the Policies described below. The terms of this Acceptable Use Policy may change at any time and without prior notice; you are responsible for informing yourself of any changes to this Acceptable Use Policy by periodically consulting this page. If you have any questions about the Bell Aliant Internet Services Acceptable Use Policy, do not hesitate to contact Bell Aliant via e-mail [abuse@aliant.net](mailto:abuse@aliant.net).

Facilities provided to a customer by Bell Aliant are for the exclusive use of the customer and may not be resold without the express written permission of Bell Aliant.

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### General Acceptable Use Policies for Internet (the "Policies")

You are prohibited to use your Bell Aliant Internet account in conducting activities that include, but are not limited to:

- Transmitting unsolicited messages, which, in the sole judgement of Bell Aliant, causes significant disruption or elicits complaints from other Internet users.
- Harassing users or groups in any way.
- Impersonating users from the Bell Aliant Internet Service or any other Internet service providers in any way.
- Uploading or downloading, transmitting, posting, publishing, receiving, retrieving, storing or otherwise reproducing, distributing or providing access to information, software or other material which is (i) confidential or is protected by copyright or other intellectual property rights, without prior authorization from the rights holder(s); (ii) is defamatory, obscene, child pornography or hate literature; or (iii) constitutes invasion of privacy, appropriation of personality, or unauthorized linking or framing.
- Transmitting, posting, receiving, retrieving, storing or otherwise reproducing, distributing or providing access to any program or information designed to assist users in defeating copy-protection, registration and any other anti-theft mechanisms associated with commercial or shareware programs.
- Transmitting, posting, receiving, retrieving, storing or otherwise reproducing, distributing or providing access to any program or information designed to assist in the fraudulent use of telecommunications services.
- Using an Internet host's resources in a manner not authorized by its administrators. This includes mail relaying, transmitting chain letters, make-money-fast or pyramid style schemes of any sort.
- Posting or transmitting any information or software which contains a virus, "cancelbot", "trojan horse", "worm" or other harmful or disruptive component.
- Compromise the Privacy of other users

[> BACK TO TOP](#)**Electronic Mail**

In addition to these Policies, while sending electronic mail, you are prohibited from conducting activities that include, but are not limited to:

- Transmitting identical or substantially similar unsolicited e-mail messages.
- Promoting or facilitating the transmission of unsolicited e-mail messages.
- Attaching an excessively long signature to your messages.
- Forging the headers of your e-mail messages in any way.
- Sending messages to disrupt or cause difficulties in receiving other e-mail.

Bell Aliant has a Zero Tolerance for unsolicited e-mail messages (spam). Actions contrary to the terms of the Bell Aliant Internet Service Acceptable Use Policy will result in the suspension and / or termination of your Bell Aliant Internet account and may result in further penalties. The Bell Aliant Internet account owner is responsible for any and all action that originates from his / her Bell Aliant Internet account.

Customers who maintain bulk "opt-in" e-mail lists must have a method of confirmation of subscriptions and be able to provide that information as evidence when requested by Bell Aliant. At the discretion of Bell Aliant, if no such evidence is available, messages could be considered as unsolicited.

Bell Aliant reserves the right, in its sole discretion, to set an upper limit on the number of recipients of customer initiated e-mail, the number of subscribers on a customer's bulk "opt-in" e-mail list", and the number of messages a customer may send or receive through the service.

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#### **Newsgroups and Discussion Forums**

In addition to these Policies, while posting to newsgroups or any other discussion forum, you are prohibited from conducting activities that include, but are not limited to:

- Posting advertisements, commercial or unsolicited messages of any kind, unless expressly permitted by the charter or FAQ.
- Posting binary or excessively large files of any kind, unless expressly permitted by the charter or FAQ.
- Posting substantially identical messages to more than 5 newsgroups.
- Attaching an excessively long signature to your messages.
- Forging the headers of your postings in any way.

Newsgroup and forum postings must comply with the associated charter or FAQ. If a posted message does not fall within the topic or ideals of the discussion identified by the charter or FAQ, at the discretion of Bell Aliant, could represent an infraction of the Bell Aliant Internet Service Acceptable Use Policy. Users posting messages to newsgroups or forums are responsible for making themselves aware of the rules of conduct, prior to posting.

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#### **Abuse/Use of Bandwidth and Unlimited Services**

Bandwidth abuse or excessive use, which negatively impacts Bell Aliant Internet Service or its users, will not be tolerated. Unlimited Service for an account does not translate into allowing an account holder to remain connected even while away from the computer or to use a 'ping' type program to keep their connection alive, such as, but not limited to, checking e-mail every 5 minutes 24 hours a day).

"Excessive" use of bandwidth or resources is not permitted with any Bell Aliant Internet account. Customers requiring "no bandwidth limitations" are instructed to seek dedicated service options. If excessive use by an account is such that it potentially impacts Bell Aliant's ability to provide Internet Services or that network resources need to be protected, the account may be suspended immediately and without notice to the account holder.

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#### **Bandwidth Management**

Bell Aliant reserves the right to manage its bandwidth as they see fit on the network. Customers of all types are expected to use appropriate net etiquette when using or accessing various services within and outside the network. In special circumstances, Bell Aliant reserves the right to block access to, or from, any service type or server.

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Although Bell Aliant takes pride in providing round the clock Internet service, we cannot guarantee uninterrupted access to Internet services due to failures or scheduled upgrades on the network. The company shall not be liable to any customer, user or other person for damages resulting from omissions, interruptions, delays, errors or defects in transmission, or failures or defects in Bell Aliant Internet Service's facilities.

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Personal Web Pages are for NON-COMMERCIAL use only. Bell Aliant reserves the right to remove any Web pages at its discretion. All web pages must adhere to the Bell Aliant Internet Service Acceptable Use Policy.

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Commercial Web Pages must adhere to Bell Aliant Internet Service Acceptable Use Policy and the terms and conditions of web service.

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In addition to these Policies, while using your Bell Aliant Internet Service account, you are prohibited from conducting activities that include, but are not limited to:

- Using your Bell Aliant Internet Service user account and concurrent dial up login sessions from the same Bell Aliant Internet Service user account. (Please note: Sharing your Bell Aliant Internet Service within your home via a Bell Aliant recommended Home Networking or LAN Solution is not in violation of the Acceptable Use Policy)
- Causing an Internet host to become unable to effectively service requests from other hosts.
- Running and/or hosting Server Applications including but not limited to HTTP, POP, SMTP, Proxy/SOCKS, NNTP, ).
- Analyzing or penetrating an Internet host's security mechanisms.
- Forging any part of the TCP/IP packet headers in any way.

You are solely responsible for the security of your system and account. While connected to the Bell Aliant Internet Service, you are prohibited from any act, committed intentionally or through negligence, which may compromise the security of your Internet host in any way.

Customers found in violation of this Acceptable Use Policy may, at the sole discretion of Bell Aliant, suffer suspension / termination of their Bell Aliant Internet Service account and / or be responsible for additional service charges. Also, violation of this Acceptable Use Policy may result in criminal and civil liability. Bell Aliant will offer full co-operation with law enforcement agencies if their investigation warrants it.

In the event that numerous complaints are received by our staff in regards to any breaches of this Acceptable Use Policy, at the discretion of Bell Aliant, a processing fee per complaint received in addition to an administration fee may be applied to your account.

Bell Aliant does not assume liability to any of its members or other Internet users for failure to enforce the terms of this ACCEPTABLE USE POLICY. As well, Bell Aliant reserves the right to suspend / terminate your Bell Aliant Internet Service account at any time without prior notice.

[> BACK TO TOP](#)**Indirect Access**

A violation of this Policy by an individual having only indirect access to Bell Aliant Internet Service through a customer or other user will be considered a violation by the customer or other user, whether or not with the knowledge or consent of the customer or other user.

In addition, this policy applies to any e-mail or content sent by you or on your behalf. This includes using a Bell Aliant Internet Service account as a mailbox for responses or publicizing content hosted or sent using Bell Aliant Internet Service facilities, or which indicates in any way that Bell Aliant Internet Service was involved in the transmission of such e-mail or content.

Unless expressly permitted in a written agreement with Bell Aliant, the resale of Bell Aliant Internet Service products and services is not permitted.

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#### **Consequences**

Violations of this Policy may result in a demand for immediate removal of offending material, immediate temporary or permanent filtering, blocked access, suspension or termination of service, or other action appropriate to the violation, as determined by Bell Aliant in its sole discretion. It is Bell Aliant's preference to give notice so that violations may be addressed voluntarily when practical; however, Bell Aliant reserves the right to act without notice when necessary, as determined by Bell Aliant in its sole discretion. Bell Aliant may involve, and will cooperate with, law enforcement if criminal activity is suspected. Violators may also be subject to civil or criminal liability under applicable law. Refunds or credits are not issued in connection with actions taken for violations of this Policy.

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#### **Incident Reporting/Contact Information**

Complaints regarding violations of this Policy by a Bell Aliant Internet Service customer should be forwarded to [abuse@aliant.net](mailto:abuse@aliant.net). Where possible, details should be included that would assist Bell Aliant in investigating and resolving the complaint (i.e. expanded headers and a copy of the offending transmission).

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#### **Revisions to this Policy**

Bell Aliant may modify this policy at any time, without prior notification, effective when posted to Bell Aliant's public web site. Notice may also be provided via electronic mail or regular mail.

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